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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,323	12/22/2000	Baden Eunson		8043

7590

05/07/2003

Baden Eunson  
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AUSTRALIA

EXAMINER

LE, THIEN MINH

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

### DETAILED ACTION

A series of phone calls were made to applicant's listed telephone number since April 10, 2002. However, no contact with the applicant has been established.

The proposed reply filed on 12/21/2002 has not been entered because it is **unsigned**.

Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

### ***Response to Amendment***

The reply filed on 12/21/2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amended claims are not in the right format. Please correct the amendment as follows:

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" In the claims;

Please cancel claim 5 and substitute amended claims 4, and 6 as follows:

4. (Amended) A system comprised partly of apparatus and partly of a negotiated series of tolling protocols that allows ..... compensation to intellectual property owners and managers.

6. (Amended) An intellectual property identification and recording system, based on free and unrestricted access .... compensating the creators of such intellectual property."

***Also include the marked version of to show the change made as follows:***

**VERSION MARKED TO SHOW CHANGE MADE**

4 (Amended) [An open system of identifying and recording details of an intellectual property comprising bar coded data, primarily for the purpose of facilitating financial compensation to intellectual property creators an managers, and not to prevent reproduction] A system comprised partly of apparatus and partly of a negotiated series of tolling protocols that allows intellectual property to be identified by means of machine-readable indicia such as bar coding, and then permits auditing of mechanical reproduction of any and all such property, such property being of either a confidential or non-confidential nature, and such mechanical reproduction being conducted on an open access or unhindered basis, for the purpose of facilitating financial compensation to intellectual property owners and managers.

6. (Amended) An intellectual property identification and recording system substantially, [as herein described with reference to the accompanying drawings] based on free and unrestricted access to reproduction of intellectual property, allowing for the specific registration of unique items of intellectual property, such registration being an aid to the auditing of mechanical reproduction of such property, and such auditing in turn creating a basis for financially compensating the creators of such intellectual property.

#### **Abstract**

"Please rewrite the abstract as follows:

An intellectual property identification and recording system can be used to monitor reproduction of material ..... between stakeholders in the total process".

*There is no need provided a marked version for the abstract.*

#### **Remarks**

Applicant's arguments filed on 12/21/2002 have been noticed (though not formally considered since the amendment was not signed). It is deemed from the response that applicant only argue the patentability of amended claims 4 and 6. Due to the lack of specific discussions about claims 1-3, the grounds of rejections on these claims will be maintained. However, since claims 1-3 are merely the broad recitations of the underlying inventiveness concepts of applicant's invention, and more likely to be

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further rejected by the examiner, the examiner respectfully recommend applicant to further cancel claims 1-3 and proceed with claims 4 and 6 in this application since claims 1-3 are distinctly different from claims 4 and 6. Applicant is noted that the limitations of claims 1-3 can be added in newly presented claims that depend on claims 4 or 6, or claims that recited similar limitations as claims 4 and 6. Any "new claim" added should be numbered as claim 7+. Should any question arises regarding the proposed amendment, please contact the examiner at the listed phone number and/or email listed below.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thien M. Le whose telephone number is (703) 305-3500. The examiner can normally be reached on Monday - Friday from 7:30am - 4:00pm (thien.le@uspto.gov).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5841 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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A handwritten signature in black ink, appearing to be 'Le, Thien Minh', written in a cursive style.

**Le, Thien Minh**  
**Primary Examiner**  
**Art Unit 2876**  
**April 21, 2003**